

09/693621



10/20/00

## CERTIFICATE OF MAILING

I hereby certify that this paper and every other paper referred to therein, is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner of Patents & Trademarks, Washington, DC 20231, on \_\_\_\_\_  
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## EXPRESS MAIL CERTIFICATE

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2640/0H058

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eitan Wiener et al.

Serial No.: not yet assigned

Group Art Unit: not yet assigned

Filed: Concurrently herewith

Examiner: not yet assigned

For: ULTRASONIC SURGICAL SYSTEM

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October 20, 2000

Assistant Commissioner for Patents  
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

In order to comply with discretionary regulations 37 C.F.R. 1.97 and 1.98, attached hereto is a copy of Form PTO-1449 and copies<sup>1</sup> of the documents listed thereon. These documents contain information which the Examiner may consider to be important in deciding whether to allow the present application to issue a patent.

<sup>1</sup> To the extent that a listed document is listed and no copy of same is attached, then such document is not at the present time available to the undersigned or is availing in the file of a parent application. If a listed document is not in the English language and an English translation is readily available, such translation is also enclosed and attached to the copy of the document. If a translation is not attached, it is not readily available to the undersigned. If a foreign language patent document is cited, and an English language equivalent is known to the undersigned, then the English equivalent patent is also listed on the enclosed form along with the corresponding foreign language patent and a connecting arrow indicates the relationship between them. If no such English language equivalent is cited, then none is known to the undersigned.

In accordance with M.P.E.P. Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing Form PTO-1449 next to the document. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

The present Information Disclosure Statement is being submitted in compliance with 37 C.F.R. 1.56, but the citation of such document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner, in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 C.F.R. 1.104(a) and 1.106(b) and, in the course of each search, will review for relevance every document cited on the attached form even if not initialed.

Early and favorable consideration is earnestly solicited.

This Information Disclosure Statement and attached documents are filed<sup>2</sup> pursuant to 37 C.F.R. § 1.97,

☒ Para. (b) - NO FEE IS REQUIRED.

☐ Para. (c) - Enclosed is:

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<sup>2</sup>37 C.F.R. § 1.97, Para. (b), the Information Disclosure Statement is filed:

- (1) within three months of the filing date of a national application, or
- (2) within three months of the date of entry of the national stage in an international application, or
- (3) before the mailing date of a first Office Action on the merits, whichever occurs last;

Para. (c), the Information Disclosure Statement is filed after the time period in Para. (b) but before the mailing date of:

- (1) a Final Office Action, or
- (2) a Notice of Allowance, whichever occurs first;


Para. (d), the Information Disclosure Statement is filed after the time period in Para. (c) but is filed on or before payment of the issue fee.

- ☐ A Certification as specified in 37 C.F.R. § 1.97(e), pursuant to 37 C.F.R. § 1.97(c); OR
- ☐ A fee as set forth in 37 C.F.R. § 1.17(p), pursuant to 37 C.F.R. § 1.97(c).
- ☐ Para. (d) - Enclosed are:
- ☐ A Certification as specified in 37 C.F.R. § 1.97(e), pursuant to 37 C.F.R. § 1.97(d)(1);
- ☐ A Petition pursuant to 37 C.F.R. § 1.97(d)(2);
- AND
- ☐ A fee as set forth in 37 C.F.R. § 1.17(i), pursuant to 37 C.F.R. § 1.97(d)(3).

If a fee is due pursuant to 37 C.F.R. § 1.97, Para. (c)  
(\$ 240.00)<sup>3</sup> or Para. (d) (\$ 130.00)<sup>3</sup> as indicated above:

- ☐ A check in the amount of \$240.00 is attached;
- ☐ Please charge the fee to Deposit Account No.  
04-0100.
- ☒ Please charge any additional fees up to \$500.00 or credit overpayment to Deposit  
Account No. 04-0100.

Respectfully submitted,



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<sup>3</sup>Fees as of November 10, 1998.

**LIST OF REFERENCES CITED BY APPLICANT**

(Use Several Sheets if Necessary)

DOCKET NO.: 2640/0H058 SERIAL NO: not yet assigned  
APPLICANT: Eitan Wiener et al. FILING DATE: concurrently herewith

**U.S. PATENT DOCUMENTS**

<u>*EXAMINER INITIALS</u>	<u>DOCUMENT NUMBER</u>	<u>DATE</u>	<u>NAME</u>	<u>CLASS</u>	<u>SUBCLASS</u>	<u>FILING DATE</u>
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**FOREIGN PATENT DOCUMENTS**

<u>*EXAMINER INITIALS</u>	<u>DOCUMENT NUMBER</u>	<u>DATE</u>	<u>COUNTRY</u>	<u>CLASS</u>	<u>SUBCLASS</u>	<u>TRANSLATION YES NO</u>
	2000-175926	06/27/2000	JAPAN			Abs.

**OTHER REFERENCES****(INCLUDING AUTHOR, TITLE DATE, PERTINENT PAGES, ETC.)**

\*EXAMINER  
INITIALS

EXAMINER: \_\_\_\_\_ DATE CONSIDERED: \_\_\_\_\_

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.